

REMARKS/ARGUMENTS

In the above referenced Final Office Action, the Examiner rejected claims 1-73 under 35 USC § 102(e) as being anticipated by Billmaier (U.S. Patent No. 6,710,815). These rejections have been traversed and, as such, the applicant respectfully requests reconsideration of the allowability of claims 1-73.

The various embodiments of the present invention relate to multimedia systems and methods that include a multimedia server. Examiner, in the Response to Argument, read the head end of Billmaier on Applicant's multimedia server. Examiner stated that,

"The head end it is interpreted as a multimedia server, where the multimedia server in turn sends the multiple content sources to the STB where different signals are mixed (see col. 4 line 46 - col. 5 line 27). Claim does not specifically state that channel mixer and transceiver reside on the multimedia server and therefore STB meets the scope of the claimed limitation 'channel mixer and transceiver module'." (Emphasis added)

However, claims 1 and 13 of the present application specifically recite that the multimedia server includes the channel mixer and the transceiving module. Claim 1 is directed to a multimedia system that comprises a multimedia server and a client module. The claim specifically recites that the channel module and the transceiving module are included in the multimedia server. Claim 20 is directed to the multimedia server itself. Claim 20 specifically

recites a multimedia server that comprises a channel mixer and a transceiving module. Claims 1, 13 and 20 do specifically recite that the channel mixer and transceiver reside on the multimedia server. For this reason, Applicant believes claims 1, 13 and 20, along with claims 2-11, 14-19 and 21-37 that depend therefrom, to be patentably distinct from the prior art.

Further, claims 1, 13 and 20 recite that the multimedia server includes a tuning module that selects a set of channels from the plurality of channels based on a set of channel select commands. Billmaier's head end does not meet the limitations of the multimedia server of claims 1, 13 and 20 because the head end does include a tuning module. The channel select commands are transmitted from Billmaier's remote control device to the set-top box. The set-top box tunes the selected channel from the stream of channels received from the head-end (see col. 5 line 28 - Col. 5 line 55). This provides an independent reason why claims 1, 13 and 20, along with claims 2-11, 14-19 and 21-37 that depend therefrom, are patentably distinct from the prior art.

Similarly, the multimedia server of claim 12 provides, "a stream of channel data from channels associated with the plurality of multimedia sources based on a set of channel select commands". Billmaier's head end does not meet the limitations of the multimedia server of claim 12 because the head end does not provide a stream of channel data based on a set of channel select commands. Billmaier's head end does not receive any channel select commands. As previously discussed, the channel select commands are

transmitted from Billmaier's remote control device to the set-top box for tuning the selected channel from the stream of channels received from the head-end (see col. 5 line 28 - Col. 5 line 55). For this reason, applicant believes that claim 12, along with claims 13-19 that depend therefrom, are patentably distinct from the prior art.

Further, Claims 38 and 56 recite that the communication path to the client module is part of the local area network. Billmaier does not teach such a local area network connection to the client module. Billmaier does not disclose or teach a local area network of any kind. For this reason, Applicant believes claims 38 and 56, along with each of the claims dependent therefrom, to be patentably distinct from the prior art.

For the foregoing reasons, the applicant believes that claims 1-73 are in condition for allowance and respectfully request that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present invention.

No additional fee is due. The Commissioner is authorized to charge any fees that are required or credit any overpayment to Deposit Account No.50-2126.

RESPECTFULLY SUBMITTED,

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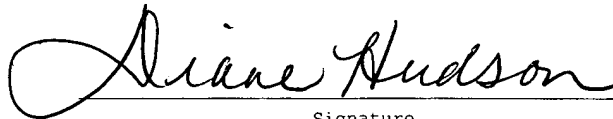
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37 C.F.R. 1.8

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